



AI/AI/EN/110000755200

**TOTAL PETROCHEMICALS & REFINING USA, INC.**

Port Arthur Refinery

**FEDERAL EXPRESS**

Chief  
Environmental Enforcement Section  
Environmental and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-7611  
Reference Case No. 90-5-2-1-08283/3

RE: Force Majeure Notification  
Consent Decree Reference Case No. 90-5-2-1-08283/3  
TOTAL Petrochemicals USA, Inc.  
Port Arthur Refinery, Port Arthur, Texas

September 11, 2017

To Whom It May Concern:

Pursuant to Part XVIII of the above-referenced Consent Decree, Total Petrochemicals & Refining USA, Inc. (Total) is notifying the EPA of a Force Majeure that has caused or may cause a delay or impediment to performance in compliance with provisions of the above-referenced Consent Decree.

The Force Majeure event was the passage of Hurricane Harvey through the Beaumont-Port Arthur area of southeast Texas and the resulting flooding throughout the area. Due to rainfall exceeding 47 inches in a period of 5 days, the Port Arthur Refinery experienced significant flooding. Beginning Monday, August 28, Refinery personnel were unable to travel to work due to impassable roads and flooding in their homes. On August 28 and 29, the Refinery was continuing limited operations with available personnel. Access to areas of the Refinery was limited due to flooding. On Wednesday, August 30, the electrical power supply to the Refinery terminated due to a failure at the Entergy Gulf States Substation when the relay system was damaged as a result of flooding. Loss of electric power resulted in a total shutdown of Refinery operations. At the time of this Force Majeure notification, the Refinery remains shut down. Refinery management and staff are working to bring equipment and processing units back on line.

As units are returned to service, there may be periods in which flaring occurs. The Refinery will implement start-up procedures to safely put units into operation and to minimize flaring and emissions from the Tailgas Thermal Oxidizers associated with the refinery's Sulfur Recovery Plants.

In compliance with the Force Majeure provisions of Part XVIII, please find attached to this notification a chart, in Excel format, listing the Consent Decree provisions for which there is or will be a delay or impediment to performance in compliance with provisions of the Consent Decree. The chart includes for each affected provision: cause(s) of the delay or impediment to performance; anticipated period of non-compliance or delay; measures taken or to be taken to minimize the period of non-compliance or delay; and the anticipated schedule or date by which those measures will be implemented.

Force Majeure Notification  
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TOTAL Petrochemicals USA, Inc.  
Port Arthur Refinery, Port Arthur, Texas  
September 11, 2017

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and that I have made a diligent inquiry of those individuals immediately responsible for obtaining the information and that to the best of my knowledge and belief, the information submitted herewith is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

If you have any questions or comments, please contact Jannetta Ned, EPA Consent Decree Coordinator, at (409) 985-0268.

Sincerely,



Dorothy Bartol  
Manager - HSSE – Port Arthur Refinery  
Total Petrochemicals & Refining USA, Inc.

Force Majeure Notification  
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TOTAL Petrochemicals USA, Inc.  
Port Arthur Refinery, Port Arthur, Texas  
September 11, 2017

cc:

**ELECTRONIC COPY**

Chief  
Air, Toxics, and Inspections Coordination Branch  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, Texas 75202

Dorothy Bartol  
Manager - HSSE – Port Arthur Refinery  
Total Petrochemicals & Refining USA, Inc.  
P.O. Box 849  
Port Arthur, Texas 77641-0849

Pat Y. Spillman, Jr.  
Senior Attorney, Legal Department  
Total Petrochemicals & Refining USA, Inc.  
P.O. Box 674411  
Houston, Texas 77267-4411

**CERTIFIED MAIL**

Director, Air Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
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Washington, D.C. 20460-0001

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Office of Civil Enforcement  
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HOUS-NRI-CONSENT-DECREE-CORRESPONDENCE



Total Petrochemicals & Refining USA, Inc.  
Port Arthur Refinery  
Consent Decree  
Paragraph 222 - Force Majeure

Section or Part	Paragraph #	Action Item (i.e. Description of Consent Decree Paragraph)	Cause(s) of Delay or Impediment to Performance	Anticipated Period of Non-compliance or Time Delay	Measures Taken or To Be Taken to Prevent or Minimize Period of Non-compliance or Delay	Schedule for Implementation of Measures
V	11	Limit NOx emissions from the FCCU to 30 ppmvd or less on a 365-day rolling average basis and 60 ppmvd or less on a 7-day rolling average basis.	Loss of electric power to the Refinery; exceedance of emission limit during the heat-up of the FCCU in preparation for a safe shutdown	The 7-day rolling average may be exceeded for up to 12 hours during FCCU warm up	Electric power restored to the refinery September 5, 2017; Working to warm unit up in preparation for a safe shutdown	Warming up of the FCCU anticipated for September 12 through 30, 2017
V	13	Limit SO2 emissions from the FCCU to 25 ppmvd or less on a 365-day rolling average basis and 50 ppmvd or less on a 7-day rolling average basis.	Loss of electric power to the Refinery; exceedance of emission limit during the heat-up of the FCCU in preparation for a safe shutdown	The 7-day rolling average may be exceeded for up to 12 hours during FCCU warm up	Electric power restored to the refinery September 5, 2017; Working to warm unit up in preparation for a safe shutdown	Warming up of the FCCU anticipated for September 12 through 30, 2017
V	15	Limit PM emissions from the FCCU to 0.5 pounds PM or less per 1000 pounds coke burned on a 3-hour average basis.	Loss of electric power to the Refinery; exceedance of emission limit during the heat-up of the FCCU in preparation for a safe shutdown	The 3-hour average may be exceeded for up to 12 hours during FCCU warm up	Electric power restored to the refinery September 5, 2017; Working to warm unit up in preparation for a safe shutdown	Warming up of the FCCU anticipated for September 12 through 30, 2017
V	15	Limit PM emissions from the FCCU to 0.5 pounds PM or less per 1000 pounds coke burned on a 3-hour average basis.	Loss of electric power to the Refinery; exceedance of emission limit during the heat-up of the FCCU in preparation for a safe shutdown	The 3-hour average may be exceeded for up to 12 hours during FCCU warm up	Electric power restored to the refinery September 5, 2017; Working to warm unit up in preparation for a safe shutdown	Warming up of the FCCU anticipated for September 12 through 30, 2017





Total Petrochemicals & Refining USA, Inc.

Port Arthur Refinery

Consent Decree

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V	16	Continuously monitor and record (1) the pressure drop across the wet gas scrubber, and (2) the scrubber liquid to gas ratio. Report as an emission exceedance, in accordance with the requirements of 40 C.F.R. Part 60, Subpart J, and of this Consent Decree, any three-hour period in which the average venturi pressure differential falls below the minimum value established through the most recent stack sampling performed on the FCCU wet gas scrubber stack pursuant to the procedures set forth in Texas Commission on Environmental Quality Permit Number 46396.	Loss of electric power to the Refinery; exceedance of emission limit during the heat-up of the FCCU in preparation for a safe shutdown	The 3-hour average may be exceeded for up to 12 hours during FCCU warm up	Electric power restored to the refinery September 5, 2017; Working to warm unit up in preparation for a safe shutdown	Warming up of the FCCU anticipated for September 12 through 30, 2017
V	17	Limit CO emissions from the FCCU to 100 ppmvd or less on a 365-day rolling average basis and 500 ppmvd or less on a 1-hour average basis.	Loss of electric power to the Refinery; exceedance of emission limit during the heat-up of the FCCU in preparation for a safe shutdown	The 1-hour average may be exceeded for up to 12 hours during FCCU warm up	Electric power restored to the refinery September 5, 2017; Working to warm unit up in preparation for a safe shutdown	Warming up of the FCCU anticipated for September 12 through 30, 2017
V	27	Conduct a CGA on each CEMS installed on a Covered Heater or Boiler with a Heat Input Capacity > 100 MMBTU/hr	Loss of electric power to the Refinery - Unable to conduct CGAs	8 days	Expedite the performance of CGAs (Conduct two (2) CGAs per day)	October 9, 2017



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**Consent Decree**  
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V	29	For all heaters and boilers at the refinery, comply with applicable requirements of 40 CFR Part 60 Subparts A and J for fuel gas combustion devices.	Loss of electric power to the Refinery; exceedance of emission limit during re-start	The 3-hour rolling average may be exceeded for up to 8 hours during re-start of heaters and boilers	Electric power restored to the refinery September 5, 2017; Working to return units to service	Re-start of all Refinery processing units anticipated by September 30, 2017
VI	32	For all Sulfur Recovery Plants (SRPs) at the refinery, comply with 40 CFR Part 60.104(a)(2), except during the Startup, Shutdown, or Malfunction of an SRP or the Malfunction of an associated TGU.	Loss of electric power to the Refinery; exceedance of emission limit during re-start	The 12-hour rolling average may be exceeded for up to 24 hours during re-start of Sulfur Recovery Units	Electric power restored to the refinery September 5, 2017; Working to return units to service	Re-start of all Refinery processing units anticipated by September 30, 2017
VI	44.(ii) 55 56	Estimate the quantity of SO2 emitted and the calculations used to determine emissions; Flaring and Tail Gas Calculations	Loss of electric power to the Refinery; unable to monitor or record any flow and concentration data	The SO2 emissions associated with the loss of electric power at the refinery on August 30, 2017 will not be determined using the guidance provided in Paragraphs 55 and 56	The SO2 emissions associated with the loss of electric power at the refinery on August 30, 2017 will be determined using historical data and process knowledge	The SO2 emissions will be submitted with the Root Cause Failure Analysis by October 14, 2017
VII	66	Monitor for breakthrough between primary and secondary carbon canisters each Working Day.	Unable to conduct monitoring due to flooding of the plant and city of Port Arthur as a result of Hurricane Harvey; personnel unable to get to the refinery; unable to conduct monitoring due to a loss of power plant wide	Unable to monitor for carbon canister breakthrough for 6 days	Monitoring resumed on September 6, 2017	Monitoring resumed on September 6, 2017



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VII	90	Conduct monthly visual inspections of all water traps within the Refinery's individual drain systems.	Unable to complete all visual drain seal trap monthly inspection due to flooding of the plant and city of Port Arthur as a result of Hurricane Harvey unable to get to the refinery; Unable to complete monthly inspections due to a loss of power plant wide.	Unable to inspect the drain seal traps for 6 days	Inspections for September will be started as soon as units are returned to service, it is deemed safe to enter the units, and safe housing has been established for the LDAR Contractor	Monthly inspections for September to be completed by 9/30/2017
VII	90	Conduct weekly visual inspections of all conservation vents or indicators on process sewers for detectable leaks, reset any vents where leaks are detected, and record the results of such weekly inspections.	Unable to conduct weekly inspections due to flooding of the plant and city of Port Arthur as a result of Hurricane Harvey; personnel unable to get to the Refinery; unable to conduct weekly inspections due a loss of power plant wide	Unable to conduct weekly inspections of indications on process sewers for 1 week	Weekly inspections resumed on September 7, 2017	Weekly inspections resumed on September 7, 2017
VIII	107	Monitor valves for leaks on a quarterly basis, or unless more frequent monitoring is required by a federal, state or local regulation.	Unable to complete monthly monitor of valves due to flooding of the plant and city of Port Arthur as a result of Hurricane Harvey; Unable to get to the refinery; Damage to the housing facility for LDAR Contractor occurred due to Hurricane Harvey	Unable to complete August monthly monitoring of LDAR components	Monitoring for September will be started as soon as units are returned to service, it is deemed safe to enter the units, and safe housing has been established for the LDAR Contractor	Monthly monitoring for September to be completed by 9/30/2017
VIII	108	Make first attempt at repair for leaking valves within 5 days	Unable to make first attempt at repair on valves within 5 days due to flooding of the plant and city of Port Arthur as a result of Hurricane Harvey; Unable to get to the refinery	Unable to perform first attempt at repair within 5 days for one (1) component and we anticipate the delay to be 20 days	First attempts at repair of a component will be performed as soon as units are returned to service and it is deemed safe to work on equipment; and safe housing has been established for the LDAR Contractor	First attempt anticipated to be complete by 9/30/2017



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VIII	108	Complete repair of leaking valves within 15 days	Unable to complete final repair of leaking valves within 15 days due to flooding of the plant and city of Port Arthur as a result of Hurricane Harvey unable to get to the refinery; Unable to complete monthly inspections due to a loss of power plant wide.	Unable to complete final repair within 15 days for fifteen (15) component and we anticipate the delay to be 20 days	Repair of a component will be completed as soon as units are returned to service and it is deemed safe to work on equipment; and safe housing has been established for the LDAR Contractor	Repair attempt anticipated to be complete by 9/30/2017



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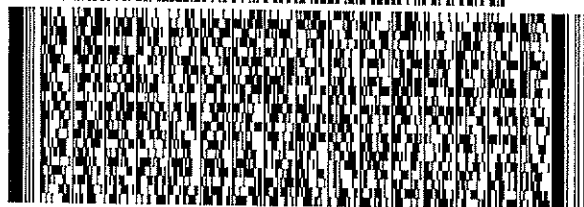
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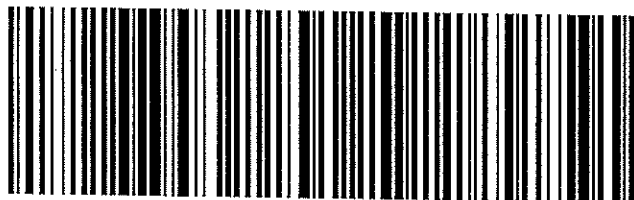
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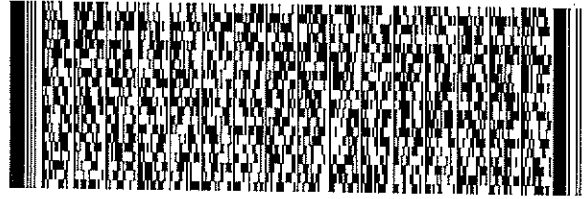
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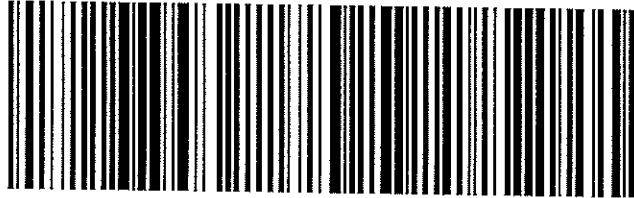
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